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REMARKS

By this amendment, claims 1 and 3 have been amended, and new claims 6-13 have been added, leaving claims 1, 3 and 5-13 now pending in this application for consideration by the Examiner.

Claims 1 and 5 were rejected under 35 U.S.C. §102(b) over Short ('025). While Applicant traverses this rejection on the grounds that Short does not teach or suggest each and every element of Applicant's claims, such as an aperture, and while Applicant disagrees that Short is "capable of suspending a bottle from an ironing board," claim 1 has nevertheless been amended to include the limitation of a shaped body with a lower end including a continuous ring of material forming an aperture. This clearly distinguishes over the Short reference. The added independent claims set forth that the article is composed of a molded plastic body, also distinguishing over the Short reference.

Claim 3 was rejected under 35 U.S.C. §103 over Short in view of Barts ('285). Apart from the fact that there is no teaching or suggestion whatsoever from the prior art to combine these references despite the Examiner's proposed justification, claim 3 has been amended to include the limitation of a concave indent which is provided for ergonomic purposes.

Claims 1, 3 and 5 were rejected under 35 U.S.C. §103(a) over Snelling ('235) in view of Barts. The Examiner contends that "It would have been obvious to one skilled in the art at the time the invention was made to have provided the holder shown by Snelling with a bended [sic] lip as shown by Barts to further secure the bottle." Applicant disagrees.

Rejections based on §103 must rest on a factual basis with these facts being interpreted without hindsight reconstruction of the invention from the prior art. The examiner may not, because of doubt that the invention is patentable, resort to speculation, unfounded assumption or hindsight reconstruction to supply deficiencies in the factual basis for the rejection. See In re Warner, 379 F.2d 1011, 1017, 154 USPQ 173, 177 (CCPA 1967), cert. denied, 389 U.S. 1057 (1968). An applicant's disclosure may not be used as a blueprint to reconstruct the claimed invention from the isolated teachings of the prior art. See, e.g., Grain Processing Corp. v. American Maize-Prods. Co., 840 F.2d 902, 907, 5 USPQ2d 1788, 1792 (Fed. Cir. 1988). "Broad conclusory statements regarding the teaching of multiple references, standing alone, are not 'evidence' sufficient to establish *prima facie* obviousness" In re Dembieczak, 175 F.3d 994, 999, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999).

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With respect to the rejection of the drawings, the Examiner appears to be incorrect. The drawings were objected to because reference sign 106 was not mentioned in the specification. However, the Examiner is invited to review page 4, line 18 of the specification, wherein opening 106 is, indeed, defined.

Based on the foregoing amendments and comments, Applicant believes all pending claims are in condition for allowance. Questions regarding this application may be directed to the undersigned attorney by telephone, facsimile or electronic mail.

Respectfully submitted,

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